

substituted for present, obsolete references to a "commercial motor vehicle". In any given situation, it is difficult for a police officer to determine whether a given vehicle meets the criteria of a "commercial motor vehicle", as defined in present Art. 66 1/2, §1-110. Furthermore, for purposes of this section, the definition is impractical and overly limited; consider for example, the fact that a "bus" does not come within the scope of the definition. The section apparently was not intended to have such a narrow effect, since the limits specified in this title are applicable to all vehicles; it is inconsistent to provide for enforcement only in regard to "commercial motor vehicles".

In subsection (e) of this section, the present reference to "civilian employees" is deleted as unnecessary in light of the definition of "police officer" in subsection (a) of this section.

Present §14-111(d), which specifies that failure to stop and submit to measurement or weighing as required by this section is a "misdemeanor", is deleted as unnecessary in light of §27-101 of this article to the same effect.

24-111.1. REMOVAL OF EXCESS WEIGHT.

(A) REQUIRED REMOVAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AS TO ANY VEHICLE FOUND TO EXCEED THE WEIGHT LIMITS PERMITTED UNDER THIS SUBTITLE:

(1) IF THE OVERWEIGHT DOES NOT EXCEED 5,000 POUNDS, A POLICE OFFICER MAY REQUIRE THE DRIVER TO UNLOAD THE EXCESS WEIGHT; AND

(2) IF THE OVERWEIGHT EXCEEDS 5,000 POUNDS, THE VEHICLE MAY NOT BE MOVED UNTIL THE EXCESS WEIGHT IS UNLOADED.

(B) EXCEPTION - TOLERANCE FOR CERTAIN VEHICLES CARRYING MILK.

IF AN OVERWEIGHT VEHICLE BEARS REGISTRATION PLATES ISSUED BY THIS STATE AND IS TRANSPORTING LIQUID MILK IN BULK FROM THE PRODUCER, THE VEHICLE MAY BE GRANTED A 5 PERCENT TOLERANCE ON THE APPLICABLE REGISTRATION OR STATUTORY GROSS WEIGHT LIMIT. HOWEVER, A TOLERANCE GRANTED UNDER THIS SUBSECTION MAY NOT PERMIT THE GROSS WEIGHT OF THE VEHICLE TO EXCEED 73,280 POUNDS.

(C) EXCEPTION - INDIVISIBLE LOAD.